

Message Text

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ORIGIN DLOS-07

INFO OCT-01 EUR-25 EA-11 IO-14 ISO-00 CG-00 CIAE-00

DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04

RSC-01 PRS-01 SP-03 SS-20 USIA-15 CEQ-02 COA-02

COME-00 EB-11 EPA-04 NSF-04 SCI-06 FEA-02 ACDA-19

AEC-11 AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01

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R 091624Z MAY 74
FM SECSTATE WASHDC
TO AMEMBASSY SUVA
INFO AMEMBASSY JAKARTA
AMEMBASSY MANILA
USMISSION USUN NEW YORK
AMEMBASSY LONDON

C O N F I D E N T I A L STATE 095957

E.O. 11652: GDS
TAGS: PBOR
SUBJECT: LOS: ARCHIPELAGO NEGOTIATIONS: FIJI

SUMMARY:

1. SATYA NANDAN OF PERMANENT MISSION OF FIJI TO UN CALLED
AT HIS REQUEST ON JOHN NORTON MOORE, CHAIRMAN, THE NSC
INTERAGENCY TASK FORCE ON LAW OF THE SEA AND DEPUTY SPECIAL
REPRESENTATIVE OF THE PRESIDENT FOR LAW OF THE SEA CONFER-
ENCE, AND DR. HODGSON, DEPARTMENT GEOGRAPHER, APRIL 3 TO
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DISCUSS ARCHIPELAGO NEGOTIATIONS. END SUMMARY

2. SATYA NANDAN SAID THAT INDONESIAN REPRESENTATIVE AT GROUP OF 77 MEETING IN NAIROBI HAD INFORMED HIM AND PHILIPPINE REPRESENTATIVE ABOUT US ARCHIPELAGO PROPOSALS AND SOUGHT THEIR VIEWS. SINCE THEN FIJI GOVERNMENT HAS GIVEN PROPOSALS HIGH-LEVEL CONSIDERATION.

3. FIJI AGREES ON NEED FOR OBJECTIVE CRITERIA FOR ARCHIPELAGO IN ORDER TO PREVENT THEIR PROLIFERATION. NANDAN EXPLAINED THAT HIS GOVERNMENT HAD DIFFICULTY, HOWEVER, WITH PROPOSED US DEFINITION: MAXIMUM 80-MILE CONSTRUCTION LINES AND 5:1 LAND-WATER RATIO. HE SAID FIJI NEEDS 84-MILE MINIMUM LINE IN ORDER TO ENCLOSE ISLANDS AND WOULD PREFER 100-MILE LINES TO ALLOW FOR CHARTING ERRORS. HE FURTHER STATED THAT FIJI CALCULATION LED THEM TO BELIEVE THAT 1:10 LAND-WATER RATIO IS NEEDED. MOORE ASSURED NANDAN THAT US POLICY WAS TO SUPPORT ARCHIPELAGO CLAIM WHICH WOULD INCLUDE FIJI AND THAT IT WAS OUR UNDERSTANDING THAT 80 NAUTICAL MILES PLUS 5:1 OR SET OUT IN U.S. PROPOSAL WOULD COMPLETELY ENCLOSE FIJI. HODGSON SAID FIJI MISUNDERSTANDING SEEMED TO BE BASED ON CONFUSION BETWEEN STATUTE MILES AND NAUTICAL MILES. UNDER LATTER, WHICH US INTENDS, FIJI ISLANDS ARE INCLUDED WITHIN 80-MILE LINES (IN FACT LONGEST LINE IS 72-73 NAUTICAL MILES). FURTHER, FIJI WOULD MEET US PROPOSED CRITERIA FOR LAND-WATER RATIO PURPOSES BY INCLUDING WATER WITHIN ATOLLS AS LAND FOR CALCULATION (RATIO WOULD BE L-4.88). NANDAN EXPRESSED GRATIFICATION WITH US POLICY TO INCLUDE FIJI WITHIN ANY ARCHIPELAGO FORMULA AND ASSUMING THAT FIJI'S OWN CALCULATIONS CONFIRM THAT IT MEETS REQUIREMENTS INDICATED FIJI WOULD HAVE NO DIFFICULTY WITH US DEFINITIONS.

4. ON MATTER OF PASSAGE WITHIN ARCHIPELAGO, NANDAN SAID FIJI COULD ACCEPT US PROPOSALS. HE SAID THAT HE EXPECTS PHILIPPINES AND INDONESIA MIGHT SEEK CONSENT FOR TRANSIT OUTSIDE ARCHIPELAGIC PASSAGE AREAS.

5. NANDAN SUGGESTED THAT EFFORT BE MADE TO REACH AGREEMENT AT LEAST ON OBJECTIVE DEFINITION OF ARCHIPELAGO. MOORE STATED THAT US WOULD HAVE TO INSIST ON AGREEMENT

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ON ALL ELEMENTS OR PRECONDITION FOR SUPPORT OF CONCEPT.

6. NANDAN MADE CLEAR FIJI HAS COMMITMENT TO WORK WITH GOI AND GOP AND IS RELUCTANT TO GET TOO FAR OUT IN FRONT. HE STATED THAT WERE IT NOT FOR ARCHIPELAGO PARTNERS FIJI COULD REACH AGREEMENT WITH U.S.

7. NANDAN REPORTED THAT GOI AND GOP REPS AT NAIROBI

MEETING INDICATED THAT THEY COULD ACCEPT US PROPOSED DEFINITION OF ARCHIPELAGOS. ONLY GOP COMMENT WAS THAT US PROPOSALS DID NOT PROVIDE FOR SUBSTITUTION OF SEALANES, THAT NATIONAL SOVEREIGNTY WOULD BE REDUCED, AND APPARENTLY THAT THEY WOULD LIKE REGIME REQUIRING CONSENT AS WELL AS RATIFICATION FOR AREAS OUTSIDE ARCHIPELAGIC PASSAGE AREAS.

8. NANDAN EMPHASIZED THAT ARCHIPELAGO STATES WANT LINES ENCLOSING ISLANDS TO FUNCTION AS BASE LINE FOR 12-MILE TERRITORIAL SEA AND PROBABLY FOR RESOURCE ZONE AS WELL. MOORE STATED US OBJECTS TO ESTABLISHMENT OF LONG BASE LINES (AND THEREFORE PREFERS TERM ARCHIPELAGIC CONSTRUCTION LINES) AND CONSEQUENTLY DOES NOT CONTEMPLATE THAT TERRITORIAL SEA WOULD BE DRAWN AROUND ENTIRE ARCHIPELAGO. NANDAN SAID SUCH A RETRITORIAL SEA WAS IMPORTANT OBJECTIVE OF ARCHIPELAGO STATES BUT THAT THE SAME PASSAGE REGIME AGREED WOULD EXTEND THROUGH THE TERRITORIAL SEA.

9. NANDAN SAID FIJI WOULD WORK WITHIN ARCHIPELAGO GROUP IN EFFORT TO MOVE TOWARD US POSITION. HE STATED THAT FIJI HAD ALWAYS TAKEN A MORE LIBERAL ATTITUDE TOWARD NAVIGATION ISSUES THAN HAS GOI OR GOP. THIS, HE SAID, ALMOST LED TO A BREAK BETWEEN FIJI AND OTHERS IN GROUP IN SUMMER OF 1973 DURING GENEVA UN SEABED MEETING.

10. NANDAN SUGGESTED FIJI WOULD PREFER AGREEMENT BEFORE CARACAS SO AS NOT TO INCLUDE ADDITIONAL STATES IN ARCHIPELAGO GROUP AT CARACAS WHICH MIGHT COMPLICATE REACHING AGREEMENT.

11. COMMENT. EXCHANGE OF VIEWS WAS FRANK AND USEFUL. NANDAN WAS CLEARLY ACTING ON INSTRUCTIONS FROM GOF. (HE HAS JUST RETURNED FROM SUVA). US AND FIJI POSITIONS ARE CONFIDENTIAL

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VERY CLOSE AND IT IS CLEAR NANDAN COULD ACCEPT SUBSTANCE OF PRESENT US PROPOSAL. AT SAME TIME FIJI IS CLEARLY RELUCTANT TO BREAK WITH INDONESIA AND PHILIPPINES FOR FEAR THAT IF GROUP IS FRAGMENTED, CHANCE OF GAINING ACCEPTANCE OF ARCHIPELAGO PRINCIPLE WILL BE LOST. RUSH

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